

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Mark : Slotted Arrow Latch Face Design
Serial No. : TBD
Filed : TBD
Applicant : S.P.E.P. Acquisition Corp.
Law Office. : TBD
Examining Attorney: TBD

Docket No. : 14206.21

DECLARATION OF DAVE MOCHALSKI

Commissioner for Trademarks
P.O. Box 1451
Alexandria, VA 22313-1451

119 E. Union Street., Ste. B
Pasadena, CA 91103
February 12, 2019

Commissioner:

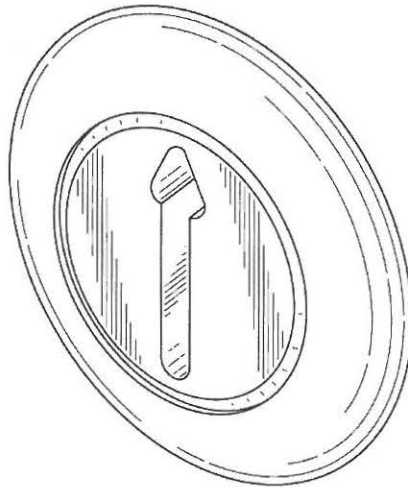
I Dave Mochalski hereby declare as follows:

1. I joined Applicant S.P.E.P. Acquisition Corp. ("S.P.E.P.") in November 2012 as its Inside Sales Manager and was promoted to the position of CEO in January 2016. I have remained in the CEO this position to date.
2. S.P.E.P. has been in the business of designing and manufacturing access hardware for over 30 years and supplies its goods to OEMs and hardware distributors around the globe. S.P.E.P. is an ISO 9001-certified company and it has a large number of customers big and small around the world, including major customers in the U.S. For many years, S.P.E.P.'s products have been widely recognized as being highly innovative, and of the finest design and manufacturing quality.
3. S.P.E.P. sells over 4,000 unique hardware products available for purchase and custom designs and manufactures hardware to meet specific customer needs.
4. In 2001, S.P.E.P. developed and filed a design patent application for its ornamental design for a hardware latch under the name "Slotted Arrow Quarter Turn Latch". S.P.E.P was granted U.S. design patent no. D471,428 for this design on March 11, 2003. A copy of U.S. design

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patent no. D471,428 is attached hereto as Attachment A. U.S. design patent no. D471,428 has expired.

5. The hardware latches formerly protected by U.S. D471,428 all bear a unique slotted arrow latch face design, which design shown below and is set forth in the drawing of the mark submitted with the instant trademark application.



6. S.P.E.P. has been offering its hardware latches bearing this unique slotted arrow latch face design in continuous use in commerce since as early as December 28, 2001.
7. Ever since its hardware latches bearing the slotted arrow latch face design were launched in late 2001 (except for a downtick in sales growth during the financial crisis and its aftermath (2008 ~ 2012)), the number of goods sold bearing the applied for design and total sales figures have steadily increased. The chart below shows the number of items sold and total sales numbers of goods bearing the applied for mark on an annualized basis from 2001 to 2018. As of the end of 2018, S.P.E.P., has sold over 664,000 units of goods bearing the applied for mark, and sales have exceeded \$2,170,000 have during this period.

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Year	# of Items Sold Bearing Mark	\$USD Sales Figures
2001	1	\$2
2002	11,278	\$30,071
2003	19,696	\$56,447
2004	20,660	\$67,630
2005	26,324	\$85,297
2006	29,064	\$91,602
2007	32,607	\$99,058
2008	43,920	\$125,453
2009	23,038	\$80,796
2010	28,466	\$91,111
2011	36,933	\$103,742
2012	38,790	\$101,081
2013	53,250	\$179,290
2014	52,560	\$200,664
2015	51,377	\$189,919
2016	63,280	\$229,467
2017	71,667	\$219,698
2018	61,553	\$223,594
TOTALS	664,464	\$2,173,919

8. S.P.E.P. has featured the goods bearing the applied for mark in its catalogues since the product was launched. Copies of samples of relevant pages from S.P.E.P. catalogues for years 2002, 2004, 2007, 2008, 2009, 2012, 2014, and 2016 are attached hereto as Attachment B. S.P.E.P. continues to use the 2016 catalogue to date.
9. To the best of my knowledge, S.P.E.P. is the only company offering a latch featuring the unique slotted arrow latch face design being applied for herein.
10. By virtue of the above facts, S.P.E.P. submits that the herein applied for slotted arrow latch face design is recognized as a source identifier for S.P.E.P. latches, and thus the applied for design has acquired distinctiveness.

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I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

S.P.E.P. Acquisition Corp.

Date: February 13, 2019

By 
Dave Mochalski, CEO